Specimen of his Acuteness. A Man of common intellects would have understood the Word a given in the Acceptation of fint or communicated, because required by the Context, and the Word will be intellected in the Bytander had bestowd in reading the Bible a similar Portion of the Time he has employed in the Standard the Law, or in other Pursuits more delegable. finali Portion of the Time he has employ'd in the Study of the Law, or in other Puriuits mire dele Palle, it would have occurred to him, that the Word give, is there used passim, in the above Sense; but, if he is a Sage of the Law, perhaps he will deny the Authority of the Book, because not usually cited in the Coorts, and the action in the control of the Book, because not usually cited in the Coorts. or the Book, because not be amis to remark, that the and therefore it may not be amis to remark, that the Abfurdity he ridicules is his own. "A Letter of Ad-Absurdity he finded is in Minister given to a Velry.

" mission in Favour of a Minister given to a Velry."

by the Bystander's Leave, is no Innovation either in by the Bystander's Leave, is no Innovation either in Language or sentiment, tho it is something new, atter substituting another Manner of Expression, to blime the Suerist for the Impropriety of the Substitution. The Querist, I hope, was understood by the Sagra str. Law, to mean what his Words properly signified, a Power intended to be conferred upon a Minister of entering or being admitted into a Benefice, and notified to the Form, and not to multiply Priess upon the Parishioners, when the one they have is probably as much as they can bear.—The Hilarity, raised by an extraordinary Bumper, seems to have put the Bystander off his Guard, and that his fine Ridicule has loit all its Poignancy, by appearing on Paper, where a quick Utterance, to prevent Examination, and a loud Laugh, to hinder Reply, are wanting to make it pass. wanting to make it pass.

wanting to make it pass.

"Sidesinen, otherwise Questimen, otherwise Vestry."

men, are certain Persons, says he, chosen in each Pa"rish, as Assistants (expressly so called in All the Law
"Books) to the Churchwardens." Indeed! Are
Sidesinen, Questimen, and Vestrymen, only different Terms
used to express the same Person? What,—Al the Law
Books? Well affirmed. Who now will doubt the Bystander's being a Sage in the Law? If he has really
read all the Books of the Law, and remembers all he
has read, which his Affirmation implies, who but must read all the Books of the Law, and remembers all he has read, which his Affirmation implies, who but must allow him to be a Sage of the first Head? I dore not contradict this Gentleman, when he is so positive, because it wou'd import a Contunely too coarse, and shall therefore suppose Montagne's Observation to be true, that "one Man may read in a Book what anow ther can't find there;" for I have turn'd to several Law Books on this Occasion, and can find nothing is them to countenance the Bystander's Assertion. A full Discussion of this Subject wou'd carry me beyond the Discussion of this Subject wou'd carry me beyond the Limits of your Paper; and for that Reason, and because I believe the Office of a Vestryman in this Procause I believe the Office of a Vestryman in this Province, is generally pretty well understood, I must be content with giving a short Account of Sideston of Questioner, Officers not used here, from Burn, Vol. I, 283, and Wood, 95.—In the antient epitoopal Synods, the Bishops were wont to summon certain Perfons out of each Parish, to give Information of the Disorders of the Clergy and the People.—They were to present all Hereticks, and other irregular Persons. In Process of Time, they became standing Officers in several Places, in great Cities and large Parishs, and In Process of Time, they became standing Officers in several Places, in great Cities and large Pariphes, and were called Synodymen, and, by Corruption, Sickiness or Questimen, from their Enquiry concerning Offices. They are chosen by the Minister and Parishioners, if they can agree, otherwise to be appointed by the Ordinary, and, for the most Part, the whole Office is now devoted upon the Churchwardens. They take an Out to be affiliant to the Churchwardens in the Execution to be affilant to the Churchwardens, in the Execution of their Office, so far as by Law they are bound.— There needs not further Proof that Sidefree or Question men, are very different from Vestrymen, and that their Duty has been very little explain'd by the Bystander.

Duty has been very little explain d by the Bystander. All the Vestries in the Province are select, as they are in some Places in England by Prescription or immemorial Usage. Where there is no such Usage, the Vestries are in England general, i. e.—all the Parisheners, paying the Church-Rates, and Out-Dweller, occupying Lands in the Parish, are Vestries. The Qualification and Duty of our Vestries are pointed on by our Laws, and they have no more to do with the Canon Laws, proprio Vigore, than the Papal Authority, from which no inconsiderable Part of it was derived. from which no inconsiderable Part of it was derived. In Case of a Vacancy, says the Bystander, a Vestry may desire or petition the Ordinary to appoint a Minister of a neighbouring Parish to officiate. The Act of Assembly is almost in avery once Hands and it was Affembly is almost in every one's Hands, and it was as little worth while to misquote it, as it would be minutely, to shew the Unfairness of the Quotation. The Word—Petition—is not in the Act. The Words of the Act, are, "Define or Agreement of the Vestry of the said adjacent (not neighbouring) Parish, and "Consent of the Vestries, where he (the Minister) is resides, and Appointment of the Ordinary." The Act is express, that no Minister shall held two Parishs. Act is express, that no Minister shall hold two Parishes, unless with the Concurrence of those requisite Circumstances. The Amount of the Bystander's Rereumstances. The Amount of the Bystander's Rea-foning is, that the Law requires three Things to be done, but only one of them is done, therefore all that the Law requires has been done.—What a Paralo-gism!—A disinterested Man, after a sober Dish of Tec-nust have a very peculiar Cast of Thinking to imagine t any Hardship, that, when a Law requires the Con-currence of the True Vestries as well as of the Ordinary, and Business, affecting all the Parties, the Ordinary alone cannot bind the rest at all Events.

If the Churches here are donative, there can be no industion, and Plenarties arise merely from the Donor's Appointment. The very Meaning of a Donative is, hat it is a free Gift, and none of the Ceremonies of Presentation, Admission, Institution or Industion relate to it.—The Parson derives his Benefice altogether from

o it .- The Parson derives his Benefice altogether from he Patron's Donation or Appointment, and being one iven, the Parson's Right is as compleat, as after India ution or Induction in the Cafe of prefentative Livings and there can be no Appointment to a Donative for cars, or at Will only. 1. Burn. 532.—Donatives have energally an Exemption from Ecclefialtical Jurislificant to the control of out the Patron may present if he pleases. Besides the Duty incumbent upon Vestries, mentioned by the Bytander, there is another and a very important ones. which I beg Leave to add—that of supporting the Right f the Parish against Intruders and Tuespossers. Their Dath requires it of them. When there is a regular elenarty, the Minister is undoubtedly intitled to the whole 30 fer Poll; but should a Minister be present from one Parish to another, there must be a Vacancy

in the former, unless by the Agreement and Consent of the reference Volves of adjacent Patishes, he is empowered to hold both. And, as, in the Parish which is full, the Vestry have no more Right to a Pound of the 30 per Poll than to the Minister's Shirt, so in the vacant Parish, the Minister has no more Right to the 30 per Poll than to the Shirts, yea, or to the—Smocks of all the Parishioners, whether they be Whites, Blacks, or heat petity Malattees. That the Vestries would be Orleagist, Patrons, and Incumbents, I never heard before Enaries, Patrens, and Incumbents, I never heard before. The Acculation is heavy, and, for the Sake of his own Character, the Bystander ought to be fure of his Proofs. The Verlam Sacerdotis would be too flight. That Februare Sacerdotis would be too flight. That Februare but Polities is an Observation, which has the Ment of being true; but I cannot help observing how apt this Man is to run into Extremes, sometimes we cannot get one Word of Truth from him, and at other cannot get one Word of 1 ruth from him, and at other Times, (tho' not often) he gives us Propositions, quite fastisted with it. The Use to which he has recommended the Order of the Vestry, is a Proof of his Politeness, Delicacy, and humane Regard to the Sheriss's Convenience, but as the Paper wou'd be very small, it is to be wish'd he wou'd extend his Charity, and present the Sheriss, for the same Use, with a Sermon lately preach'd in a certain Parith, upon 1 Cor. vi. ver. 5.—and like-wife with tome of his poetical Exercitations, which, if we may judge from a late Specimen, are by no Means calculated for the Uje of the Head.

calculated for the Use of the Head.

"When a Man, says the Bystander, accuses another

"of acting repugnant to the Law, he ought to be a

"Sage of the Law;" but why so, may not a Man be
acquainted with fire Part of the Law, without knowing the whole? Suppose a plain honest Parishioner

bould remonstrate to his Minister, "that his being

addicted to Lying, Drinking, Swearing, Whoring,

Revenge, and Uncharitableness, is refugnant to the

Precepts of Religion, and the saterdotal Character;

wight not the Parson. in the Bystander's Mode of Reamight not the Parion, in the Enfander's Mode of Rea-lang, fay, "to know this, you ought to be a Sage in Divinity, and if you think as you freak, you know no more of Religion than my Horie. Go home—Drive your Negroes, for no longer shall you DRIVE your PARSON —Whether the Querist knows no more of Law than the Bystander's Horse, I shall not decide; or whethat the Horie or his Matter has a greater Degree of Christian Spirit. We are assured by History, that an Horse was Consul of Rome, upon which an agreeable Writer observes, the Office was as properly conserved, as the Imperial Diadem on his Master. Whether the Force of this Observation might not be properly extended to a familiar Cose, I must submit to the Inhabitants of a certain Parish to determine. I think the Bystander's Advice to the Minister, is at present premature. It will take some Time to bring Vestries to a proper Sense of their Duty; for bad Habits are not to be eradicated at once. It might now be look'd upon; as an intolerable Infult, for a Parson, whom the Parishioners feed and cloath, to treat their Representatives like mere Over-Respect, where not forfeited by improper Beha-tiour, is certainly due to the *Principal* of every Parish, from the rest of the *Vostry*; but let me tell the Bystander, that it is equally due from the Principal to the Vestry. I begin to suspect, that if the Bystander is not a Sage, he begin to suspect, that if the Bystander is not a Sage, he is at least a Practitioner of the Law, and that he is here laying a Trap for a Fee, at the Expence of the Principal's Head. Shou'd the Minister (especially if an Intruder) treat the Gentlemen of the Vestry with such outragious Insolence, they wou'd certainly break his Head, and kick him out of Doors, with all the Respect, due to the real and intrinsic Dignity of his Character.—
"But hear him! hear him!"—Tipsey! certainly Tipsey! The Man. Surely forgot he was writing, and imagined he had just obtain'd some Advantage, by a

imagined he had just obtain'd some Advantage, by a Quibble, and disconcerted his Opponent by a loud Laugh. I shall not dispute the Bystander's being either Laugh. I shall not dispute the Bystander's being either a Sage of the Law, or a Wit, and sincerely believe, he is as much the one as the other; but, being tipsy, he seems to have forgot, that his Invention ought to have been exercis'd to display his Wit, and his legal Observations to evince the Faithfulness of his Quotations, and the Solidity of his Judgment. It has therefore happen'd, that his Law is all Invention and his Wit all bergand. The Verses which carry the his Wit all terrowed. The Verses which carry the Appearance of being taken from the original Poet; and the Observations upon them, with which he concludes his Piece, are stolen from Swift, and the whole Series consists in the Faithfulness of the Transcript, tho it is somewhat tarnished by the Attempt to not Merit confits in the Faithfulness of the Transcript, tho' it is somewhat tarnished by the Attempt to pass them for his own.—As for his Law, besides what I have already observed, I must confess, that I can't find a Syllable, on turning to the Book, of the Passage, quoted Co. 1 Inst. 136, the Reference having carried me to the Chapter of Villenage. I attempted also to turn to Co. 1. Inst. 431, and was much disappointed at the Book's societing at 394.—In the next Place, I applied myself to Littleton, 431, and there cou'd not find the Parson and his Glebe, so much as mentioned, or that a Parson has any other Remedy for his Glebe, than a Layman for his Land. I have found, that a Writ de Vi Laica Removenda, upon the Certificate of the Bispap, may Land. I nave tound, that a write as VI Laicá Removendá, npon the Certificate of the Bifton, may iffue out of Chancery; but I don't know authers to find the Bifton, nor can I find an Instance of Rioters being brought up before the Chancelles. brought up before the Chancellor, or any Hint that he brought up before the Chancellor, or any Hint that he has a Power to punish them by Fine or Imprisonment. The Passim Reference to Co. Inst. was, without Doubt, calculated as well for the Ease of his Readers, as his own Convenience. Why shou'd his Readers hurt their Eyes, by reading Figures, and looking for Passiges they can't find, or himself be at the Trouble of setting them down? It is the Business, no doubt, of every one to understand the Law, which is the Rule of every Man's Conduct, and Coke's Institutes being comprised within the small Compass of Three or Four Volumes in Folio sale, the Man, who has them not by Heart, must be a very idle Fellow, or a very great Blockhead.

If Lord Coke has declar'd an Advaration to be, (as the Bystander says) "wherein a Man has as absolute "Ownership or Property, as he has in Lands or Rents; and, by the common Law, he may convey his Right to any other, in what Manner he thinks proper;" I have not yet been able to find the Definition; but supposing it to be as quoted, I must beg Leave to conclude, that the Bystander's Horse is an Advaration. But, Reader, the moit amazing of all our Author's Quotatiers, is in one of his Notes, which I must transcribe entirely, for indeed, in this Part of the World; it is brought up before the Chancellor, or any Hint

a perfect Curiofity, and wou'd make no small Figure even where the whole Game of Authorship is play'd to Persection. Here it is ____ The Churches in MARYLAND are ROYAL Donatives. No Donation incurs a Laple, a are ROYAL Donatives. No Donation incurs a Lapfe, a Lapfe must be ab inferiore ad inferiorem. The King or Lord Proprietary cannot be bound by Lapfe of Time, because of their Supremay." God. c. 22. § 3. Thus it exactly stands in his Piece.—If I had not been perfectly acquainted with the Principles of the Man;—if I had not known, that void of Shame, and regardless of Truth, he is capable of the vilest Arts to serve his Purposes. I really should have star'd to to serve his Purposes, I really shou'd have star'd to see the Churches of Maryland, and their Rights, so professed by a Writer upon the ecclesiastical Law, and whom too I guess'd to be an Author of some Antiquity. But knowing me the second server and the second server s Law, and whom too I guess'd to be an Author of some Antiquity. But, knowing my Man, I was very confident, that nothing but the Book was wanting to fix upon him the Guilt of a base Forgery.—With great Search, I at length procur'd it, and, Reader, as I guess'd, so it turn'd out; for, there is not one Tittle regarding the Churcher of Maryland in the Book; but it is entirely a most infamous Fistion of the Bystander!

Be pleas'd to give a little Attention, and I will conit is entirely a most infamous Fiction of the Bystander! Be pleas'd to give a little Attention, and I will convince you of the utter Impossibility of its being a fair Quotation. The Book is so scarce, that the Bystander might well presume, there was not another Copy of it in the Province. The general Title of it is—Repertorium Cannicum, and the Author's Name is John Godolphin. The Book in my Possession was printed in 1680, and it is the 24 Edition; so that the Author must have written it some Time before. The first Attempt. written it Sine Time before. The first Attempt, as far as I can find, that was ever made to establish the far as I can find, that was ever made to entablin the Church of England in this Province, was in 1692, and the Act, now in Force, was passed in 1701-2—Here then is our Author citing Godolphin, about the Churches in Maryland, when his Book was actually written long before there was any Establishment of the Church of England in the Province. The Rishon of Communication England in the Province. The Bishop of Sarum very justly observes to this Effect—"That a Lie, publish de to the World. justly observes to this Effect—" That a Lie, publift of to the World, is more guilty than a private one, in to the World, is more guilty than a private one, in Proportion to the greater Number of People it is intended to deceive."—What think you then, Reader, of the Bystander's Publications?—Did I do him any Injustice in my Introduction, by comparing him to a Sharper?—Is it not in some Degree difference of the Bystander's public with such a Miscreant; althor with proceeding than to show a document to pluck and to cuff him to pluck no other Design than to kick and to cust him, to pluck off his Mask, and brand him in the Forehead for a Cheat?—I must indeed plead guilty to the Charge, and confess—that he is a much fitter Subject for the Discipline of the Purch and the Harse Pand

confess—that he is a much fitter Subject for the Discipline of the Pump and the Horse-Pend.

The Misquotation, I apprehend, advances a Doctrine, which most of the Clergy here, remembering the Thirty-nine Articles, and their solemn Obligation to observe them, will have some Scruples in embracing; and were I sure, that the Bysander was not a Sage in the Law, I should hint to him (tho' he does not deserve it) his Danger in standing on the Verge of high Treason, when he speaks of Supremacy, for there are some ugly Statutes on that Head.

"Pluralities, says the Bustander, acceptable has the

Statutes on that Head.

"Pluralities, fays the Bystander, are tenable by Laws,
"the Effect of which, no Act of Assembly can ever in"validate." Pray what Laws are these? The Canen,
or the Pistel Laws?—It is to be hop'd, that the Bystander will explain this dark Hint, for, at present, it
rests whosly usen the Credit of his Assertion, which I guess
will only have its due Weight; and let me persuade
him, to be pointed and precise in his References to Law
Books, and give Chapter and Verse for every Thing him, to be pointed and precise in his References to Law Books, and give Chapter and Verse for every Thing, since the Public, to whom he is now no Stranger, will be very apt to suspect him as an unsair Trader, unless his Wares carry all the Marks and Stamps of genuine Authority. When the Castilians produced to the Mexicans, the Bull of Alexander VI, granting their Property, these saved Americans declared, that the Pope must be an odd Kind of Man to give what did not belong to him. A like Opinion has, on a late Occasion, been expressed by the North Americans, for Americans, South or North, are all Savages.—Catching a little of their Prejudices, I can't conceive what these dreadful Laws can be, that when we have given our Property with a Libe, that when we have given our Property with a Liberality unexampled in this Part of the World, for one Purpose, can apply it to another.——Surely the Bystander, after all, is not an Enemy to our Religi-Bystander, after all, is not an Enemy to our Religion—another Julian! A Stickler for the Nullity of the 40 per Poll Act.—This wou'd destroy the Revenues of the Church, which, in the Opinion of a certain Person; who shall be nameless; constitute no inconsiderable Part of Religion itself.

The Reader, who will apply the least Attention to the Scope and Substance of the Queries, must at once see the Impotence of our Author's Wit, where he says,—"See how prettily he rings the Changes—First, he

"See how prettily he rings the Changes—First, he is Minister of A; then he is not Minister of A.—
"Secondly, he is Minister of B; then he is not Minister of B, &c."—The Querist never asserts, that he either is, or is not, the Minister of A or B, as the Bustander, assuming his right Licence of priference. the Bysander, assuming his usual Licence of missepre-fenting what he is unable to answer, has snamelessly alledg'd. The Piece consists chiefly of a Number of Supposition, drawn from the Nature of the Case, and reduces by a Series of Reasoning, the whole to this single Question, "Whether under the Uncertainty, " which was the watant Parifs, the Minister cou'd regularly receive the Income of either"? Reader of the least Understanding must see, that Every Reader of the least Understanding must see, that the Bysander's Bussiannery may, with equal Propriety, be applied to every complex Case, involving a Variety of Suppositions, and leading by a connected Gradation to one general Point. The Argument of the Queries was too powerful for his Skill in Reasoning, and therefore he slies to his usual Refuge of a forc'd Laugh, intermix'd with a deal of Falsehood and Jargon.—The Talents of laughing and prating, he may indeed plume himself upon, for in these exalted Gifts he stands unrivalled by the whole kuman Species; but, that he may not be intoxicated with too high an but, that he may not be intoxicated with too high an Idea of his Pre-eminence, let me just hint to him, that there is a certain Animal of another Species, which can both out-grin and out-chatter hiffi.

I am Your's, * For a Dissertation upon the Pistol Law, see a late curidus Epistolary Correspondence!

The PLAIN DEADER could not be inferted in this Week's Gazette.

To be SOLD by William Lee, en Wednesday the 9th Day of March next, at George-Town, on Rock-

FIFTY VALUABLE SLAVES, for ready Specie.

Maryland Currency, or good London Bills of Exchange.

THERE is to be a Meeting of the MISSISSIPPI COMPANY, at Stafferd Court-House, in Virginia, the 21st Day of March 1768.

To be Sold by the Subscriber, agreeable to the Last Will and Testament of Enoch Bayley, late of Bultimore County, deceased,

NE Hundred Acres of LAND, about 5 Miles from Baltimore-Town. Near Forty Acres of which are cleared.

JOHN MURRAY.

JOHN SCHUTE,

WOOL-COMBER, and STOCKING-GRAFTER, from England, now at the House of Mr. William Reynolds, in Annapolis,

HEREBY gives Notice to the Public, That he carries on the above Business in all its Branches. Such Persons as chuse to favour him, in the above Way, may depend on having their Commands faithfully and expeditiously executed, on the most moderate Terms, by applying as above.

To be fold at PUBLIC SALE, by the Subscriber, at the Dwelling-Hongt of Solomon Turner, in Fre-

derick County, on the 21st Day of March next, the fellowing Tracts of Land, viz.

NE Tract, called SOLOMON's FLOWER, containing Fifty Acres. Also Part of another Tract, called The Resurvey, on Solomen's Flower, containing Four Hundred Acres, adjoining the afore-faid Fifty Acres; both on Econe's Creek. As also Part of the Resurvey, called Daniel's Small Tract, containing Eight Hundred and Fifty-five Acres, lying on the public Road that leads from Frederick-Town to George-Town. There will be fold the same Day, and at the same Place, some Houshold Furniture, and Plantation Utenfils. Time will be given for one Half of the Purchase-Money, upon giving Bond and Security, if required.

.* The Sale to begin at 10 o'Clock in the Fore-THOMAS BEATTY, jun.

Frederick County, Feb. 11, 1768. WHEREAS WHERTILA, the Wife of me, W the Subscriber, having departed my Bed and Board, by a mutual Contract, and I being apprehensive she may run me in Debt, I theresore desire all Persons whatsoever not to trust her on my Account, for I will pay no Debts of her contracting after this Date.

RUDOLPH ETTEKER. (*3)



THE Sloop BETSEY, a ftrong Vessel, and prime A strong Vessel, and prime Sailer, will carry about 3500 Bushels, now lying at St. Lec-nard's Creek, Paruxent, to be fold, or let on Chatter. She is well found, and will be fit to receive her Lading at Ten

Days Notice, if Chartered. For Terms, apply to Mr. Joshua Johnson, at Annapolis, or the Subscriber, GEORGE COOK. at St. Leonard's Creek.

AKEN up on the 28th of last November, by the Subscriber, living near Rock-Hall Ferry, a small FLAT, about 12 Feet Keel, 5 Feet Beam, and had Two Oars lashed to her After-Thawt. She was found driving up the Bay, near Swan-Point:

The Owner may have her again, on proving Property and paying Charges. SAMUEL TAYLOR.

February 17, 1768. On Wednesday the Second Day of March next, at Three o'Clock in the Afternoon, at the House of Mr. Robert Bishop, in Joppa, will be exposed to public Sale, and peremptorily sold to the highest Bidder,

THE Dwelling-House of the late Mr. David McCulloch, in said Town, with Kitchen adjoining, and other Improvements, standing on that Part of Lot No. 4; not already disposed of. Also Lo already disposed of. Also Lo No. 18, on which the Garden now ftands, exclusive of that Part thereof, with the Improvements thereon, fold lately to Mr. James Dick. Any Person inclining to purchase, may be shown the Premises, and know

the Terms, by applying to Mr. Charles Lin, at Joppa.
At same Time will be fold, Three Hundred and Forty Acres of Land, lying near Joppa.

MARY M'CULLOCH, Executrix.

ANTHONY STEWART, Executor.

February 16, 1768. Will be Sold by PUBLIC VENDUE, at Lower Marlborough, in Calvert County, on Saturday the 5th Day of March next, pursuant to the last Will and Testament of Mrs. Susannah Hoxton, late of Anne Arundel County, deceased, for Sterling Money, Dollars, or Piffoles; the Two following Negroes, viz.

VALUABLE . House CARPENTER and COOPER; and a likely Girl, about Thirteen